

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ROBERT M. GERBER, AS TRUSTEE OF THE
ROSALIE GERBER TRUST, et al.,

Plaintiffs,

V.

ROBERT S. BOWDITCH, JR., et al.,

Defendants.

CIVIL ACTION NO. 05-10782-DPW

**ASSENTED TO MOTION TO ENLARGE TIME
TO RESPOND TO PLAINTIFFS' MOTION FOR LEAVE TO FILE SECOND
AMENDED COMPLAINT**

The Defendants, by their counsel, move to enlarge the time in which they may respond to Plaintiffs' Motion for Leave to File Second Amended Complaint up to and including September 23, 2005. This request is made without prejudice to seek further enlargement at the forthcoming Initial Scheduling Conference. Plaintiffs' counsel assents to this motion.

Respectfully submitted,

**ROBERT S. BOWDITCH, JR., GERALD
SLAVET, STEVEN RIOFF AND BSR
ASSOCIATES,**

By its attorneys

/s/ Christina N. Davilas

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Dated: September 13, 2005

LOCAL RULE 7.1 CERTIFICATION

The undersigned hereby certifies that I conferred on September 9, 2005 with counsel for plaintiffs, who assented to this motion.

/s/ Donald J. Savery

Donald J. Savery

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document was served upon the following counsel listed via first class mail on September 13, 2005:

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/s/ Christina N. Davilas
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